

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

**JOE MONGE, and
ROSANA MONGE,**

Debtors.

CASE NO. 08-30881-LMC

CHAPTER 11

**NOTICE OF WITHDRAWAL OF MOTION TO AUTHORIZE THE DEBTORS TO
MAINTAIN AND USE THEIR PRE-PETITION BANK ACCOUNT AT WELLS FARGO
BANK ON NEGATIVE NOTICE**

TO THE HONORABLE LEIF M. CLARK, UNITED STATES BANKRUPTCY JUDGE:

NOW COMES Joe Monge and Rosana Monge, Debtors in the above entitled and numbered case by and through Sidney J. Diamond of Sidney Diamond, P.C, their attorney of record and files this Notice of Withdrawal of Motion to Authorize the Debtor To Maintain and Use Their Pre-Petition Bank Account at Wells Fargo Bank on Negative Notice, and would respectfully show the Court the following:

1. The Debtors filed their Motion to Authorize the Debtor To Maintain and Use Their Pre-Petition Bank Account at Wells Fargo Bank on Negative Notice on May 15, 2009.
2. The Debtor's Pre-Petition Bank Account is actually at First Light Federal Credit Union - Fort Bliss and not at Wells Fargo Bank.
3. A Motion to Authorize the Debtor To Maintain and Use Their Pre-Petition Bank Account at First Light Federal Credit Union on Negative Notice is being filed in its place.
4. For that reason Debtors desire to withdraw their Motion to Authorize the Debtor To Maintain and Use Their Pre-Petition Bank Account at Wells Fargo Bank on Negative Notice.

DATED: May 22, 2009.

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Respectfully submitted,

SIDNEY DIAMOND, P.C.

By: /s/ Sidney J. Diamond
Sidney J. Diamond
Attorney For Debtor
Texas Bar Card No.: 5803000
3800 N. Mesa, Suite C-4
El Paso, Texas 79902
915-532-3327 Voice
915-532-3355 Fax
Sidney@sidneydiamond.com Email

CERTIFICATE OF SERVICE

I, Sidney J. Diamond, do hereby certify that on May 22, 2009, a true and correct copy of the foregoing Notice of Withdrawal of Motion To Authorize the Debtors to Maintain and Use Their Pre-Petition Bank Account at Wells Fargo Bank on Negative Notice, by depositing the same in the United States Mail, properly addressed and postage prepaid, or by fax or email as noted, to the following parties:

DEBTORS:

Joe and Rosana Monge
51 Sierra Crest Drive
El Paso, Texas 79902

AFFECTED PARTY:

Wells Fargo Bank
Deposits Bankruptcy Dept
P.O. Box 3908
Portland, OR 97208-3908

UNITED STATES TRUSTEE:

Office of the U.S. Trustee
P.O. Box 1539
San Antonio, TX 78295-1539

PARTIES IN INTEREST

PREVIOUSLY REQUESTING NOTICE:

City of El Paso
c/o David G. Aelvoet
711 Navarro, Suite 300
San Antonio, TX 78205

El Paso Area Teachers FCU
c/o Carlos Miranda II, P.C.
5915 Silver Springs Dr., Bldg. 3A
El Paso, TX 79912

Ascension Capital Group
ONYX Acceptance Corp.
Capital One Bank
PO Box 20137
Arlington, TX 76006

/s/ Sidney J. Diamond
Sidney J. Diamond

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